

CHAPTER 13 PLAN
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI

CASE NO. _____

Debtor Brian E Mooney SS# xxx-xx-5721 Median Income ☒ Above ☐ Below
 Joint Debtor Marla E. Mooney SS# xxx-xx-5844
 Address 436 Old Progress Road Moselle, MS 39459-0000

THIS PLAN DOES NOT ALLOW CLAIMS. Creditors must file a proof of claim to be paid under any plan that may be confirmed. The treatment of ALL secured / priority debts must be provided for in this plan.

PAYMENT AND LENGTH OF PLAN

The plan period shall be for a period of 60 months, not to be less than 36 months for below median income debtor(s), or less than 60 months for above median income debtor(s).

- (A) Debtor shall pay \$ 369.84 per bi-weekly to the Chapter 13 Trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

Halliburton E. Svc.
10200 Bellaire Blvd.
Houston TX 77072-5299

- (B) Joint Debtor shall pay \$ _____ per (monthly / semi-monthly / weekly / bi-weekly) to the Chapter 13 Trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

PRIORITY CREDITORS.

Filed claims that are not disallowed to be paid in full or as ordered by the Court as follows:

Internal Revenue Service:	\$ <u>0.00</u>	@ <u>0.00</u>	/month
Mississippi Dept. of Revenue:	\$ <u>0.00</u>	@ <u>0.00</u>	/month
Other/ _____			/month

DOMESTIC SUPPORT OBLIGATION DUE TO:

-NONE-

POST PETITION OBLIGATION: In the amount of \$ per month beginning .

To be paid _____ direct, _____ through payroll deduction, or _____ through the plan.

-NONE-

PRE-PETITION ARREARAGE: In the total amount of \$ through shall be paid the amount of \$ per month beginning

To be paid _____ Direct _____ through payroll deduction _____ through the plan.

HOME MORTGAGES. All claims secured by real property which are to be paid through the plan shall be scheduled below. Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed herein, subject to the start date for the continuing monthly mortgage payment proposed herein.

MTG PMTS TO: <u>Acceptance Loan Co.</u>	BEGINNING <u>2/13</u>	@ \$ <u>404.00</u>	<input type="checkbox"/> PLAN <input checked="" type="checkbox"/> DIRECT
MTG PMTS TO: <u>Bank of America</u>	BEGINNING <u>2/13</u>	@ \$ <u>712.00</u>	<input type="checkbox"/> PLAN <input checked="" type="checkbox"/> DIRECT
MTG ARREARS TO: <u>Acceptance Loan Co.</u>	THROUGH <u>1/13</u>	\$ <u>1,255.00</u> @ \$ <u>125.50</u>	/MO*
		(*Including interest at <u>0.00</u> %)	
MTG ARREARS TO: <u>Bank of America</u>	THROUGH <u>1/13</u>	\$ <u>5,055.00</u> @ \$ <u>505.50</u>	/MO*
		(*Including interest at <u>0.00</u> %)	

MORTGAGE CLAIMS TO BE PAID IN FULL OVER PLAN TERM:

Creditor: -NONE- Approx. amt. due: _____ Int. Rate: _____
 Property Address: _____ Are related taxes and/or insurance escrowed Yes ☐ No ☐

NON-MORTGAGE SECURED CLAIMS. Creditors that have filed claims that are not disallowed are to retain lien(s) under 11 U.S.C. 1325(a)(5)(B)(i)(I) until the payment of the debt determined as under non-bankruptcy law or discharge. Such

Debtor's Initials BM Joint Debtor's Initials MM

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creditors shall be paid as secured claimants the sum set out below or pursuant to other order of the Court. The portion of the claim not paid as secured shall be treated as a general unsecured claim.

CREDITOR'S NAME	COLLATERAL	910* CLM	APPROX. AMT. OWED	VALUE	INT. RATE	PAY VALUE OR AMT. OWED
-NONE-					%	

*The column for "910 CLM" applies to both motor vehicles and "any other thing of value" as used in the "hanging paragraph" of 11 U.S.C. § 1325

SPECIAL CLAIMANTS including, but not limited to, co-signed debts, abandonment of collateral, direct payments by Debtor, etc. For all abandoned collateral Debtor will pay \$0.00 on the secured portion of the debt. Where the proposal is for payment, creditor must file a proof of claim to receive proposed payment.

CREDITOR'S NAME	COLLATERAL	APPROX. AMT. OWED	PROPOSED TREATMENT
-NONE-			

STUDENT LOANS which are not subject to discharge pursuant to 11 U.S.C. §§ 523(a)(8) and 1328(c) are as follows (such debts shall not be included in the general unsecured total):

CREDITOR'S NAME	APPROX. AMT. OWED	CONTRACTUAL MO. PMT.	PROPOSED TREATMENT
-NONE-			

SPECIAL PROVISIONS for all payments to be paid through the plan, including, but not limited to, adequate protection payments: Debtor's mortgage company, including it's successors, assigns and servicing agents (hereinafter "Mortgage Entities"), shall not charge any post-Petition fees (of any kind or nature) to Debtor's account, and shall not assess any such fees to the Debtor during the period of the Chapter 13 Plan or upon conversion of this case to another Chapter of the Bankruptcy Code, without prior Bankruptcy Court approval. Confirmation of this Plan imposes a duty on the Mortgage Entities to: deem any pre-Petition arrearage as contractually cured so that no post-Petition delinquency status is declared due to pre-Petition events that are addressed in the Plan; apply Trustee payments on pre-Petition arrearages only to such arrearages; apply mortgage payments made during the Plan (whether by the Debtor or by the Trustee) to the month in which they were made (or designated to be made) under or during the Plan; post all payments made in accord with the promissory note, mortgage and/or deed of trust; notify the Trustee, the Debtor and the Attorney for the Debtor of any changes in the interest rate (and any new resulting payment amount), and of any changes in the taxes and/or insurance related to the collateral, and; comply fully with the provisions of 11 U.S.C. Section 524(i). Pre-Petition arrearages shall include only those sums included in the "allowed" proof of claim.

GENERAL UNSECURED DEBTS totaling approximately \$ 29,253.00. Such claims must be timely filed and not disallowed to receive payment as follows: X IN FULL (100%) or % (percent) MINIMUM, or a total distribution of \$, with the Trustee to determine the percentage distribution. **Those general unsecured claims not timely filed shall be paid nothing, absent order of the Court.**

Total Attorney Fees Charged \$ 3,000.00
 Attorney Fees Previously Paid \$ 400.00
 Attorney fees to be paid in plan \$ 2,600.00

The payment of administrative costs and aforementioned attorney fees are to be paid pursuant to Court order and/or local rules.

Automobile Insurance Co/Agent

 Telephone/Fax _____

Attorney for Debtor (Name/Address/Phone # / Email)
Allen Flowers

341 N. 25th Avenue
Hattiesburg, MS 39401

Telephone/Fax 601.583.9300

Facsimile No. 601.583.9301

E-mail Address allen.flowers@aflowerslaw.net

DATE: 1/30/2013

DEBTOR'S SIGNATURE

JOINT DEBTOR'S SIGNATURE

ATTORNEY'S SIGNATURE

Allen Flowers
Allen Flowers
Allen Flowers

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